

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Bruce Bernard, Director, Public Works Director/797-1240

PREPARED BY: Carol Knutsen, Administrative Aide/797-1243

SUBJECT: Resolution

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM CHARLES AND SUSAN ANDERSON, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: In order to provide the public with a dedicated equestrian trail along SW 148 Avenue between SW 20 Street and SW 26 Street, the Town has used the existing right-of-way for this purpose. The Town has constructed the trail using the 15' of the eastern 25' right-of-way that had existed. The Town wishes to vacate the remaining 10' of right-of-way along this eastern corridor to the property owners directly adjacent to the new equestrian trail. This resolution will provide the mechanism to accomplish this transfer.

PREVIOUS ACTIONS: N/A

CONCURRENCES: N/A

FISCAL IMPACT: N/A
Has request been budgeted?

If yes, amount needed:

Account name:

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution, Quit Claim Deed, Legal Description and Sketch

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ACCEPT A QUIT CLAIM DEED FOR 10' OF SW 148 AVENUE RIGHT-OF-WAY FROM CHARLES AND SUSAN ANDERSON, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie installed a 15' equestrian trail within the 25' right-of-way of SW 148 Avenue between SW 20 Street and SW 26 Street; and

WHEREAS, a Quit Claim Deed has been submitted to the Town for acceptance of the remaining 10' of the eastern SW 148 Avenue right-of-way; and

WHEREAS, the Town of Davie wishes to relinquish this additional 10' of right-of-way along SW 148 Avenue by accepting a Quit Claim Deed.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

Section 1. The Town Council does hereby authorize the Mayor and Town Administrator to accept a Quit Claim Deed, a copy of which is attached hereto as Exhibit "A".

Section 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005.

CONSENT TO TRANSFER OF PROPERTY

We, **CHARLES ANDERSON and SUSAN ANDERSON**, owners of the property located at 14791 SW 23rd Court, in Davie, Florida, hereby grant my consent to the Town of Davie to transfer to my possession through a Quit Claim Deed, one certain parcel of land, "described as attached exhibit A".

Dated this 19 day of _____, 2003.

Charles S. Anderson

Charles Anderson

Susan Anderson

Susan Anderson

This instrument was prepared by:

Monroe D. Kiar, Esquire
6191 SW 45th Street
Suite 6151A
Davie, Florida 33314

Return to:

Property Appraiser's
Parcel ID No. _____

Grantee S.S. No. _____

Name

Grantee S.S. No. _____

Name

This Quit-Claim Deed dated this ____ day of _____, A.D. 2002, by TOWN OF DAVIE, a Municipal corporation, whose post office address is 6591 Orange Drive, Davie, Florida 33314, first party, to CHARLES D. ANDERSON and SUSAN V. ANDERSON, his wife, whose post office address is 402 NE 112th Street, Miami, Florida 33161, second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth That the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Broward, State of Florida, to wit:

SEE EXHIBIT "A"

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

THE TOWN OF DAVIE, a municipal corporation

Witness

BY: _____

Print/Type Name

ITS: _____

Witness

ATTEST:

Print/Type Name

_____, Town Clerk

APPROVED AS TO FORM:

BY: _____

MONROE D. KIAR, TOWN ATTORNEY

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this ____ day of
____ 2002, by _____ and _____,
who is personally known to me and who did not take an oath.

Notary Public, State of Florida,
at Large.

Print, Type, or Stamp Name

My Commission Expires:

1987 44

aut. 16.70
state 50.40

FORM 33 WARRANTY DEED

79-250137
Made this
Between

This Indenture

13th day of August A. D. 19 79
ANTHONY SAVALLI and ELEANOR B. SAVALLI, his wife

of the County of Broward in the State of Florida
parties of the first part, and CHARLES D. ANDERSON and SUSAN V. ANDERSON, his wife
whose mailing address is: 402 N. E. 112th Street, Miami, Florida 33161

of the County of Dade in the State of Florida
parties of the second part,

Witnesseth, that the said parties of the first part, for and in consideration of the sum of—TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS—Dollars, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said parties of the second part, their heirs and assigns forever, the following described land, situate, lying and being in the County of Broward State of Florida, to wit:

Tract 44, LESS the East 1140 feet thereof in Section 15, Township 50 South, Range 40 East, according to the Plat of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, as recorded in Plat Book 2 at page 17, of the Public Records of Dade County, Florida, LESS the South 30 feet and LESS the West 50 feet thereof; said lands situate, lying and being in Broward County, Florida.

SUBJECT TO any and all restrictions, reservations, limitations, easements, conditions and covenants of record, if any, insofar as same are valid and enforceable, and taxes for the current year and subsequent years.

RECORDED
1979
AUG 17



DOCUMENTARY
SUR
18.70

DOCUMENTARY
DEPT. OF REVENUE
18.70
50.40

This instrument was prepared by
Mary D. Denton
LAWYERS TITLE INSURANCE CORPORATION
201 North University Drive
Plantation, Florida 33324
Incident to the issuance of a title insurance contract.

And the said parties of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.
In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Barbara Mance
Barbara Mance
Mary D. Denton

Anthony Savalli
Anthony Savalli
Eleanor B. Savalli
Eleanor B. Savalli

State of Florida,
County of Broward

I HEREBY CERTIFY, That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

ELEANOR B. SAVALLI, wife of ANTHONY SAVALLI

to me well known and known to me to be the individual described in and who executed the foregoing deed, and she acknowledged before me that she executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at Fort Lauderdale
County of Broward and State of Florida, this 13th day of August, A. D. 19 79

My Commission Expires
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COM. EXPIRES MAR. 5 1982

Broward County Title

Mary D. Denton
Notary Public
Lawyers Title Insurance Corporation

RETURN TO: Lawyers Title Insurance Corporation/Plantation Office/195193/mdd

AUG 17 11 49 AM '79

8389 REC 538

7.00

700

